

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 18-cr-10246-DPW
)	
ROBERT BRADY,)	
Defendant.)	

JOINT INITIAL STATUS MEMORANDUM

The parties respectfully submit this joint initial status memorandum pursuant to Local Rule 116.5(a) in advance of the Initial Status Conference scheduled for October 4, 2018:

- (1) The government provided discovery on August 28, 2018. There are no pending discovery requests;
- (2) The government does not currently anticipate providing additional discovery but will confer with the defense once its review of the discovery provided to date is complete;
- (3) The defense is currently reviewing the discovery provides so far but requires additional time to complete discovery review and determine whether to make additional discovery requests;
- (4) There are no protective orders in existence or anticipated in this case;
- (5) The defense is not yet able to determine whether to file any pretrial motions under Fed. R. Crim. P. 12(b);
- (6) The government will provide expert witness disclosures 28 days prior to trial, and the defense 14 days prior to trial;
- (7) The Court has previously excluded the time from August 9, 2018 through the Initial Status Conference scheduled for October 4, 2018. Dkt. 12. The parties agree that additional time from the Initial Status Conference until the next status conference should also be

excluded from Speedy Trial Act calculations in the interest of justice on the ground that such time will enable the defense to complete its review of discovery and to determine whether to request additional discovery, resulting in 0 countable days;

(8) In December 2014 the Defendant suffered a loss of consciousness that required hospitalization and long-term occupational therapy. His primary symptom since the event has been significant short-term memory loss. Counsel has obtained medical records regarding this event and subsequent treatment but is still awaiting additional records. In order to ensure that the Defendant fully understands his rights and options, counsel must understand the Defendant's condition and will be required to consult with a medical expert. The defense is not at this time raising any issues of competency or criminal responsibility. In order to have sufficient time to complete this process, the parties request the Court schedule an Interim Status Conference on or after December 3, 2018.

The parties do not expect to have any additional information to report at the Initial Status Conference scheduled for October 4, 2018. In light of the contents of this report and the need for counsel to complete discovery review and meet with the defendant, the parties do not object to the cancellation of the Initial Status Conference and the scheduling of an Interim Status Conference.

Respectfully submitted,

ROBERT BRADY
By his attorney,

ANDREW LELLING,
United States Attorney,

/s/ Joshua Hanye
JOSHUA HANYE
Federal Public Defender Office
51 Sleeper Street, 5th Flr.
Boston, MA 02110
(617) 223-8061

/s/ Kenneth G. Shine
KENNETH G. SHINE
U.S. Attorney's Office
One Courthouse Way
Boston, MA 02210
(617) 748-3200

Certificate of Service

I, Joshua Hanye, hereby certify that the foregoing was this day filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) and paper copies will be sent to those indicated as non-registered participants.

October 3, 2018

/s/ Joshua Hanye
Joshua Hanye